

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Transportation Committee

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BILL: CS/SB 1144

INTRODUCER: Transportation Committee and Senator Smith

SUBJECT: Driving Safety

DATE: March 25, 2010

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Eichin	Meyer	TR	<b>Fav/CS</b>
2.			CU	
3.			TA	
4.				
5.				
6.				

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**I. Summary:**

This committee substitute (bill) designates the first week in September as “Drowsy Driving Prevention Week” in Florida.

This bill creates an undesignated section of the Florida Statutes.

**II. Present Situation:**

The National Highway Traffic Safety Administration estimates driver fatigue results in 56,000 police reported crashes, with an estimated 1,550 deaths, and 40,000 injuries each year.<sup>1</sup>

However, it is difficult to conclusively attribute an accident to drowsiness because no test is available to determine drowsiness, and reporting practices related to drowsy driving are inconsistent. Drowsiness may be a factor in crashes which are attributed to other causes.

Some of the dangers sleepiness or fatigue may cause are:

- Impaired reaction time, judgment, or vision;
- Problems with information processing and short-term memory;
- Decreased performance, vigilance, and motivation; and
- Increased moodiness and aggressive behavior.

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<sup>1</sup> “Drowsy Driving and Automobile Crashes” by the NCSDR/NHTSA Expert Panel On Driver Fatigue And Sleepiness  
[http://www.nhtsa.dot.gov/people/injury/drowsy\\_driving1/Drowsy.html](http://www.nhtsa.dot.gov/people/injury/drowsy_driving1/Drowsy.html)

A 2005 National Sleep Foundation poll found that 60 percent of adult drivers had driven, in the past year, a vehicle while feeling drowsy, with more than one-third actually falling asleep behind the wheel. Forty percent of the drivers admitted to having an accident or near accident because they dozed off or were too tired to drive.

The National Sleep Foundation currently promotes a “Drowsy Driving Prevention Week.” In 2009, that week was from November 2 through 8.<sup>2</sup>

### **III. Effect of Proposed Changes:**

The bill designates the first week in September as “Drowsy Driving Prevention Week” in Florida. During this week, the Department of Highway Safety and Motor Vehicles (DHSMV) and the Department of Transportation (DOT) are encouraged to educate law enforcement and the public about the relationship between fatigue and driver performance, as well as the research showing fatigue to be as much of an impairment as alcohol and as dangerous while driving. According to FDOT, its impaired driving initiatives incorporate educational information related to drowsy driving.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

#### **C. Government Sector Impact:**

None.

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<sup>2</sup> Information concerning drowsy driving was obtained from <http://drowsydriving.org/>, which is sponsored by the National Sleep Foundation.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Transportation on March 24:**

The CS removed provisions which would have prohibited persons from using a mobile telecommunication device while operating a school bus.

**B. Amendments:**

None.